

Re: **MB Docket No. 04-160**

We write in support of the NAB's petition to prohibit XM and Sirius from broadcasting local content.

We oppose local content of any description on XM or Sirius.

Satellite radio clearly led the NAB and the FCC to believe that they intended a "national only" service from the very beginning, with heavy emphasis on filling undeserved and underserved audiences. They also signed an agreement to this effect; an agreement that was clearly ingenious and misleading. Clearly, all of this was nothing but a veiled attempt to get into the backdoor of existing terrestrial broadcasters.

To allow satellite radio to broadcast local content jeopardizes the very existence of terrestrial broadcasters. Please remember that there are many terrestrial broadcasters outside the major markets, such as ourselves. If satellite radio is allowed to do things that erode our listening audience, the end result will be that we will not have the financial resources to continue all of the other areas of service that we perform. While Washington is focused on Clear Channel, Infinity, Disney and other huge operators, small market broadcasters such as ourselves have continued to provide exceptional local service to our communities. **In fact, our local community service was recognized in 2000 when we were named a Marconi Award recipient as Small Market Station of the Year in recognition of that service.** The FCC simply cannot open the door to anything resembling local service for XM and Sirius, or eventually, small market stations such as ours will either go out of business, or become nothing but juke boxes, playing music and providing little community service. The real losers here are the people that we serve. To allow XM and Sirius to do this to the broadcasting industry and thus to America's local radio listening audience, is unacceptable.

It should also be noted that the responses to this petition filed on behalf of XM and Sirius come as a result of an extensive campaign by the satellite companies to encourage their listeners to write. Terrestrial radio stations have not mounted any such campaign, and thus it would be wrong for the Commission to base its decision on the number of responses received on either side of the issue. They are not proposing to provide any local service that is not already provided by terrestrial broadcasters. The channel capacity that they want to

allocate to these services could be much better utilities by providing more of the unique services they promised to provide when they were granted their licenses.

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